

## REMARKS/ARGUMENTS

Applicants gratefully acknowledge the Examiner's indication that claim 17 contains allowable subject matter. Applicants also note that claims 6 and 13 have been rejected only in view of Muehlpforte.

Claim 12 has been written to show the amendment in which the claim was changed to depend from claim 10.

Claims 7 and 14 have been cancelled, obviating the Section 112 rejection.

Reconsideration of the prior art rejections is respectfully requested.

Muehlpforte does not teach or suggest a clip as specified in claim 1. Applicants note that Muehlpforte is owned by the assignee of this application. Muehlpforte discloses element 15, which is described as "a safety ring 15 or a similar securing element, for example a socalled [sic] speed nut." A ring or nut is an annular element, which is the intent of Muehlpforte. A clip, on the other hand, is not annular. This is understood by those skilled in the art. A clip has a different function than a ring or nut.

Therefore, Muehlpforte does not teach the retaining clip required by claim 1.

Muehlpforte also does not suggest that its safety ring or speed nut detachably connects the bearing to the support such that the bearing separates from the support in the event of an increased force on the wiper shaft due to impact with a pedestrian. This is explained below in connection with the discussion of Lisiecki.

Lisiecki discloses an element 30. Assuming, for the sake of argument, that Lisiecki's element 30 can be considered a clip, there is no teaching that the element 30 detachably connects the bearing to the support such that the bearing separates from the support in the event of an increased force on the wiper shaft due to impact with a pedestrian.

The Examiner has taken the position that this limitation is purely functional and does not define any particular structure that differentiates the cited references. Applicants respectfully but strenuously disagree. This limitation must be construed as it would be by one skilled in the art, and to a skilled person it DOES define structure. It defines a connection of the bearing to the support by a clip in such a manner that the bearing separates from the support in the event of an increased force on the wiper shaft due to impact with a pedestrian. One skilled in the art understands what this is. One skilled in the art understands the forces caused by impact with a

pedestrian, and understands what type of connection is required so that the bearing separates from the support in the event of impact with a pedestrian. SUCH A CONNECTION IS A STRUCTURE, and a person skilled in the art can determine if that structure is present in an infringing device. Because the forces involved in an impact with a pedestrian are well known to those skilled in the art, it is not necessary that they be explained in this application.

One skilled in the art also knows that the claimed structure is not present in, nor is it suggested by, either Muehlpforte or Lisiecki. Neither of these references suggests a connection in such a manner that the bearing separates from the support in the event of an increased force on the wiper shaft due to impact with a pedestrian.

Therefore, claim 1 and dependent claims 2, 3, 5, 6, 12, 13 and 17 are allowable.

Respectfully submitted,

/david r. price/

David R. Price  
Reg. No. 31,557

Docket No.: 022862-1081-00  
Michael Best & Friedrich LLP  
100 East Wisconsin Avenue  
Suite 3300  
Milwaukee, Wisconsin 53202-4108  
414.271.6560